

09/817,615

F0658/AMDP658US

REMARKS

Claims 1- 14 and 16 – 31, 35, 36 are currently pending in the subject application and are presently under consideration. Applicant's representative notes with appreciation the indication that claims 16 –31 and 35 are allowable over the cited art to date. Independent claims 1, 16, 27, 35 and 36 have been amended as shown on pages 2 - 10 to address the examiner's rejections and objections. Claims 32 – 34 have been cancelled.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1 - 13 Under 35 U.S.C. §112

Claims 1 - 13 stand rejected under 35 U.S.C. §112 second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the examiner objected to the limitation citing "the third barcode" as worded in independent claim 1 when there was no prior discussion of "third barcodes". Claim 1 has been amended to now read as "at least one of a third barcodes". The third barcodes are encoded such that at least one of them is coupled to the integrated circuits and encodes information sufficient to identify the wafers from which the integrated circuits were fabricated. This is achieved by relating the third barcodes coupled to the integrated circuits to at least one of a first barcode, wherein the wafer information is stored in a data store and one or more second barcodes wherein fabrication information is stored in the data store and the third barcodes further encoding packaging information related to packaging of the integrated circuits. In view of the amendment to claim 1 and the clarification given herein, it is respectfully requested that this rejection of claim 1 – 13 should be withdrawn.

II. Rejection of Claims 14 and 36 Under 35 U.S.C. §102(e)

Claims 14, and 36 stand rejected under 35 U.S.C. §102(e) as being anticipated by Davis (US 6,061,605). Withdrawal of this rejection is respectfully requested for at least the following reasons. Davis does not disclose all limitations of the subject claims.

09/817,615

F0658/AMDP658US

A single prior art reference anticipates a patent claim only if it expressly or inherently describes each and every limitation set forth in the patent claim. *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the ... claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

A. Independent Claim 14

The claimed invention generally relates to marking wafer products with barcodes for inventory control. Independent claim 14 recites a system for performing inventory control comprising (at least): an inventory, a barcode reader, a manufacturing device, a sorter, a feedback system, and an Electronic Data Interchange (EDI) systems adapted to transmit EDI data to EDI data destinations, the EDI data being generated by at least one of the barcode reader, the inventory, the sorter, the manufacturing device and the feedback system, the EDI data *including at least one of ordering information, defect information and delivery information*. Davis does not disclose such a novel feature.

Davis relates to a host controller (preferably) connected to a network including user access locations, which provides oversight and control access to production personnel, a database, or recipe server, and a support equipment management server that controls the environmental control system and the chemical supply source, in addition to coating material temperature controllers and pumps. The information contained in the recipe server can be stored in memory attached to the host controller. *See col. 7, line 58-col. 8, line 4.*

On page 5 of the Office Action the Examiner incorrectly asserts that the host controller taught by Davis is equivalent to the EDI systems of the claimed invention that transmit EDI data *including at least one of ordering information, defect information and delivery information*. At the cited passage (col. 8, ll 27-32) it is disclosed that the host controller 20 of Davis, on receiving the scanned code, queries the system database 132 *using the code to obtain the processing instructions for the wafers* corresponding to the code. Nowhere does Davis disclose transmitting EDI data *including at least one*

09/817,615

F0658/AMDP658US

of ordering information, defect information and delivery information. Therefore the data in Davis is processing data relating to the handling and treatment instructions or recipe for the wafer rather than inventory related or defect information as disclosed in the invention. For example, Davis does not disclose a system of detecting or dealing with defective wafers. From the foregoing it is readily apparent that Davis does not teach the identical invention in as complete detail as is disclosed in the subject claims. Accordingly, this rejection of claim 14 should be withdrawn.

B. Independent Claim 36

The claimed invention relates to **inventory control of semiconductor wafers** through the use of barcodes. In particular, claims 36 recites a data packet containing **feedback information related to inventory control** and routing of wafers that have barcodes thereon, wherein **the feedback information is used to generate control information** that is fed forward to at least one of one or more barcode readers, one or more sorters, and one or more manufacturing devices. This inventory control related feedback information may include the processing capacity of a feedback generator, the status of the feedback generator, processing time and/or cost associated with the feedback generator, scheduled maintenance time for the feedback generator, defect rate of the feedback generator and defect rate of a wafer handled by the feedback generator. On Page 7 - 8 of the Office Action, in response to the arguments for claim 36 the examiner stated that the host controller generates the control information and then sends a signal to the robot controller to scan the cassette of wafers. As seen from the cited art (col 8 || 49 - 52) when the chemical and environmental systems have achieved the desired processing conditions, the host controller sends a signal to the robot controller to scan the cassette for wafers. Thus the control signals in Davis are generated from feedback **related to process control**. Therefore it is submitted that the cited prior art is not identical to the subject invention, which relates to the inventory control of semiconductor wafers. Hence it is requested that this rejection of claim 36 should be withdrawn.

09/817,615

F0658/AMDP658US

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [AMDP658US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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